

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

GENERAL SECURITY INDEMNITY  
COMPANY OF ARIZONA Lead Underwriter,  
a/s/o  
PBF HOLDING COMPANY, LLC

*Plaintiffs,*

v.

HYDROCHEM LLC n/k/a HPC INDUSTRIAL  
SERVICES, LLC and HYDROCHEM LLC  
d/b/a HYDROCHEMPSC

*Defendants.*

Case No.

Judge:

Removed from State Court of Lucas County,  
Case No. G-4801-CI-0202304435-000

**NOTICE OF REMOVAL OF CIVIL  
ACTION TO THE UNITED STATES  
DISTRICT COURT**

PLEASE TAKE NOTICE Defendants Hydrochem LLC n/k/a HPC Industrial Services, LLC and Hydrochem LLC d/b/a HydroChemPSC, (jointly “Defendants”), pursuant to Fed. R. Civ. P 81(c) and 28 U.S.C. §§ 1332, 1441, and 1446, hereby submit this Notice of Removal, requesting removal of the State Court of Lucas County action described below to the United States District Court for the Northern District of Ohio, Western Division. In support of the removal of this action, Defendants state:

1. On or about November 22, 2023, Plaintiff General Security Indemnity Company of Arizona Lead Underwriter, a/s/o PBF Holding Company LLC (“Plaintiff”) filed suit against Defendants in the Lucas County Court of Common Pleas, captioned *General Security Indemnity Company of Arizona Lead Underwriter, a/s/o PBF Holding Company LLC v. Hydrochem LLC n/k/a HPC Industrial Services, LLC and Hydrochem LLC d/b/a HydroChemPSC*, Case No.: G-4801-CI-0202304435-000 (the “State Court Action”). To date, the only documents filed in the State Court Action, other than Defendants’ Notice of

Removal, are the Complaint with Jury Demand, Praecipes for Service, Summons, Returns of Service, and the undersigned's Notices of Appearance. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon these Defendants in the State Court Action are attached as Exhibit "A". A copy of Defendants Notice of Removal filed in the State Court Action as Exhibit "B".

2. On or about December 1, 2023, Defendants were served with Plaintiff's Complaint via certified mail. *See* Exhibit "A". In accordance with the provisions of 28 U.S.C. §§ 1441 and 1446, this Notice of Removal to the United States District Court is timely filed within thirty (30) days of Defendants' receipt of the initial pleading. *See* Exhibit "A".
3. Pursuant to 28 U.S.C. §1441(a), venue of this action exists in this District Court because the Lucas County Court of Common Pleas is located within the Northern District of Ohio, Western Division.
4. According to Plaintiff's Complaint, Plaintiff is an insurance company organized and existing under the laws of Arizona with a principal place of business in Phoenix, Arizona. *See* Exhibit "A".
5. Defendant Hydrochem LLC n/k/a HPC Industrial Services, LLC is a limited liability company and a citizen of Massachusetts. It is organized under the laws of the State of Delaware, with its principal place of business in the Commonwealth of Massachusetts. All members of HPC Industrial Services, LLC are citizens of Massachusetts.
6. Defendant Hydrochem LLC d/b/a HydroChemPSC is n/k/a HPC Industrial Services, LLC, having been part of a merger which resulted in the business changing its name on June 8, 2022. HPC Industrial Services, LLC is a limited liability company and a citizen of Massachusetts. It is organized under the laws of the State of Delaware, with its principal

place of business in the Commonwealth of Massachusetts. All members of HPC Industrial Services, LLC are citizens of Massachusetts.

7. Thus, there exists complete diversity of citizenship between Plaintiff and Defendants.
8. As stated in its Complaint, due to the alleged negligence of Defendants, Plaintiff seeks to recover damages for alleged property damage, including damage to steel structures, pipe racks, a bank of heat exchangers, fireproofing, piping, instrumentation, electrical equipment, and cabling. *See* Exhibit “A”.
9. Plaintiff’s Complaint further requests damages on theories of Breach of Contract, Failure to Warn, Professional Negligence (Negligent Design), Professional Negligence (Negligent Manufacture), and Professional Negligence (Negligent Installation). *See* Exhibit “A”.
10. Plaintiff’s claims and alleged damages underlie an amount in controversy in excess of \$75,000.00. The amount in controversy therefore exceeds \$75,000.00, exclusive of interest and costs. *See* Exhibit “A”.
11. This action is therefore one over which this Court has diversity jurisdiction pursuant to 28 U.S. C. § 1332, in that Plaintiff and Defendants are citizens of different states and the value of the matter in controversy, exclusive of interest and costs exceeds, \$75,000.00.
12. The State Court of Lucas County, Ohio is situated within the jurisdiction of the United States District Court for the Northern District of Ohio, Western Division, making this the appropriate forum to entertain this action pursuant to 28 U.S.C. ¶ 1441(a).
13. As required, Defendants have given written notice of the filing of this Notice of Removal to Michelle A. Cheek, counsel of record for Plaintiff, and will promptly file a copy of this Notice of Removal with the Clerk for the Lucas County Court of Common Pleas. A copy of Defendants’ Notice of Removal to Federal Court is attached as Exhibit “B”.

WHEREFORE, Defendants respectfully request this matter be placed on the docket of this Court and the State Court of Lucas County, Ohio, be enjoined from further proceedings in this matter.

Respectfully Submitted,

*/s/ Thomas P. Mannion*

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*HPC Industrial Services LLC and Hydrochem*

*LLC d/b/a HydroChemPSC*

**CERTIFICATE OF SERVICE**

I hereby certify on this 29<sup>th</sup> day of December, 2023, a true and correct copy of the foregoing has been electronically filed using the CM/ECF System, and notice of this filing will be sent to the following via U.S. mail and/or electronic mail:

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